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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/876,747	06/07/2001	Sarah E. Jordan	US010391	1883

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EXAMINER

SHAH, DEVAANG

ART UNIT PAPER NUMBER

3737

DATE MAILED: 04/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/876,747

Applicant(s)

JORDAN, SARAH E.

Examiner

Devaang Shah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-5, 8, 9, 11-14, 17, 18 and 21-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-5, 8, 9, 11-14, 17, 18 and 21-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6. 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 2-5, 8, 9, 11-14, 17, 21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,210,327 B1 to Brackett et al. in view of European Patent Application No. EP 0 991 005 A2 by O'Flaherty et al. Brackett et al. disclose a method and apparatus for sending image data to a remotely located device. The method includes acquiring diagnostic images, identifying patient information to be excluded, and exporting the images over a network (column 4, lines 21-47). The method is carried out using computers with processing and editing capabilities. The computers include an operator interface. The patient information to be excluded is in the form of patient attributes having a name, a value representation, and a tag number unique to the attribute. Each attribute may be included or excluded from being exported over the network. Brackett et al. do not use the technique of applying masks to exclude patient information.

O'Flaherty et al. disclose a privacy-enhanced database. The disclosure includes a method and apparatus for storing and retrieving data in a database with privacy control. The method includes exporting data over a network (column 16, lines 8-36). The method further includes masking data relating to personal client information. The

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data is masked as the image available to a viewer is altered or enhanced to remove or hide sensitive information (columns 19-21, claims 2, 5, 11, 13, 14, 17, 19, and 20; figures 3A, 7, and 9). It would have been obvious to one having ordinary skill in the art at the time of the invention to have used the technique of data masking disclosed by O'Flaherty et al. with the method of Brackett et al. because the technique of data masking is well known in the art of image processing, which is employed by Brackett et al.

2. Claims 18 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brackett et al. in view of European Patent Application No. EP 0 991 005 A2 by O'Flaherty et al. as applied to claims 2-5, 8, 9, 11-14, 17, 21 and 23 above, and further in view of U.S. Patent No. 5,412,702 to Sata. Sata discloses a diagnostic imaging system. The imaging system includes means for retrieving a digital representation of diagnostic images. The system further includes means for displaying diagnostic images in a multiple image display format (column 8, lines 16-21; figure 10). It would have been obvious to one having ordinary skill in the art at the time of the invention to have used the multiple image display format of Sata with the combined invention of Brackett et al. and O'Flaherty et al. in order to display more data at once. The use of multiple image display formats is well known in the art.

Response to Arguments

3. Applicant's arguments with respect to claims 2-5, 11-14, and 23 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Devaang Shah whose telephone number is 703-306-0333. The examiner can normally be reached on M-F, 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marvin Lateef can be reached on 703 308-3256. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3590 for regular communications and 703-308-0758 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0858.



Marvin M. Lateef
Supervisory Patent Examiner
Group 3700

DS DS
April 8, 2003